



GOVERNMENT

State Sen. Katrina Robinson calls federal charges a 'political and racist attack'

Attorney says the case is 'an investigation in search of a crime. ... There is an accusation in the indictment that Ms. Robinson stole money from her own company.'

by Carrington J. Tatum
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Democratic State Sen. Katrina Robinson stands for a portrait in a conference room at the office of Burch, Porter and Johnson in downtown Memphis on Wednesday afternoon. Robinson spoke with MLK50 regarding her experience after federal charges were filed against her in 2020. The charges allege she misused federal grant money at her business, The Healthcare Institute, a school that helps people earn certificates and licenses in the healthcare field. The case is still in court. Photo by Andrea Morales for MLK50

Before State Sen. Katrina Robinson unseated a long-serving incumbent in 2018, she was a young mom with little income who found a path to support her family in the healthcare field by becoming a registered nurse. She opened **The Healthcare Institute** in 2015 to offer affordable training in health professions as an avenue out of poverty. Now the school is the stage for federal charges alleging schemes of fraud and theft.

Since the charges were made public a year ago, Robinson, 40, has been largely silent on the case. But on Wednesday, she and her attorney — Lawrence Laurenzi, senior attorney with Burch, Porter and Johnson and former U.S. attorney for the Western District of Tennessee — sat down with MLK50: Justice Through Journalism to discuss the charges.

Robinson, who is Black and represents District 33 that includes South and Southeast Memphis, said she felt compelled to tell her side of the story since the prosecution's narrative about what happened has been widely publicized. She has pleaded not guilty to all charges and alleges they are not about exposing a crime, but rather discrediting Black leadership and smearing her reputation.

"These charges are baseless," Robinson said. "I have not committed a crime. This is both a political and racist attack designed to mar the credibility of Black leadership. You don't have to look far to uncover the history of disparities in the handling of civil and criminal matters as it relates to Black versus white lawmakers."

Memphis People's Summit

The event will take place Saturday at Abundant Grace Fellowship Church, 1574 E. Shelby Drive.

Local leaders, including Sen. Katrina Robinson, will be in attendance to take questions from the public.

Registration is required for the virtual event; seating at the church will be limited to 200.

should have been a single count.

The U.S. Attorney for the Western District of Tennessee announced July 29, 2020, that a federal grand jury had indicted Robinson on 24 counts of theft and embezzlement and 24 counts of wire fraud. They allege that between 2015 and 2019, Robinson stole from her business by compensating herself \$600,000 above the terms of a federal Health Resources and Services Administration grant THI received. THI had received a total of \$2.2 million in federal funds since 2015, federal prosecutors report. Also, they allege she made personal purchases with grant dollars.

The U.S. Attorney's office reduced the charges from 48 to 17 after Robinson's attorneys pointed out that some of the separate charges

At the same time the feds reduced Robinson's initial charges, they announced Jan. 19 two additional charges of conspiracy to commit wire fraud and money laundering. The new charges allege a scheme in which Brooke Boudreaux pretended to be a student at THI and had her partner pay \$14,470 in tuition. The feds say Robinson then split the money between herself, Boudreaux, and a third person, Katie Ayers, both of whom are also facing charges. In their announcement, the feds included text messages allegedly showing the three planning the scheme.

Robinson's attorneys moved to have the second set of charges dismissed, arguing they were brought in retaliation for Robinson's attorneys pointing out the feds' error, which led to a reduction in charges. Furthermore, Robinson's attorneys have argued that overcharging the sitting senator was meant to heighten the spectacle of the case in the media. The court disagreed with Robinson's motion but has not formally rejected it, Laurenzi said.

A jury trial has been set for Sept. 13 at 9:30 a.m. If convicted, she faces up to 20 years in prison and up to a \$250,000 fine.

Though the number of charges has been reduced, the damage has been done, Robinson said. "Anytime the government can create a crime from what would typically be deemed as common business practices; purposely releases false and inflammatory information to the public, and continues to pursue a witch hunt to criminalize and defame me — it becomes apparent that the motivation has to be racial or political," she said.

The U.S. Attorney's office did not respond to requests for comments for this story.

Robinson is scheduled to appear Saturday, along with other elected officials, at the Memphis People's Summit, an in-person forum and virtual event organized by #UPTheVote901. It will be held at Abundant Grace Fellowship Church, 1574 E. Shelby Drive. Registration is required for the virtual event; seating at the church will be limited to 200.

Here are excerpts from the interview with Robinson and Laurenzi. The questions and answers have been edited for length and clarity.

Carrington J. Tatum, MLK50: Justice Through Journalism: If you had to describe your situation in one word, what word would you use?

State Sen. Katrina Robinson: Gosh, I don't have one word because it's so egregious. I don't have one word to give you because there are so many moving parts to this. It's not just the case. It's the impact of the case that kind of clouds my words. It's my whole life that's basically been blown to shit.

I feel violated, to be honest with you. Every time I have to go to court, I feel like I'm being violated over and over again because I know what kind of person I am. I know my intentions. I know the kind of work I seek to do. Yet, here I am.



Democratic State Sen. Katrina Robinson works in her office at The Healthcare Institute, the school for certification and licensure of jobs in the healthcare field that she founded in 2015. Photo by Andrea

Morales for MLK50

Are there any parts of the feds' story that are true? How could they construct this narrative about you?

Lawrence Laurenzi, senior attorney with Burch, Porter and Johnson: In our opinion, it's an investigation that has been in search of a crime. When one reads the indictment, you somehow draw the conclusion that the government didn't get what they paid for, and let's be clear, the government got exactly what they paid for. There were goals that were set forth in the grant and The Healthcare Institute met those goals, with the biggest goal being to graduate students in the healthcare industry, and to that, it was a complete success.

There is an accusation in the indictment that Ms. Robinson stole money from her own company.

Let's be clear, until almost the end of 2017, it was (a limited liability company) where she was the sole owner. It later was turned into a corporation, of which she was the sole shareholder. She was chairman; there was no board; she was the board, and she was the CEO. And as the company had profits, like any other owner — Jeff Bezos with Amazon, Bill Gates with Microsoft — as profits are made, the owner gets to spend them. That's exactly what Ms. Robinson did.

She didn't hide this from anybody. This is a case with absolutely no misrepresentations. No false documents. Nothing that would support any inkling of bad criminal intent. And that's why I tell you that this is truly an investigation which has been in search of a crime.

If I'm understanding the feds' allegations correctly, they're alleging that federal funds from that grant went toward personal items for Sen. Robinson, and that is the source of the crime.

Laurenzi: There were no (Health Resources and Services Administration) funds, which are the federal grant funds, used for any personal items. What the facts will show is that tuition was paid to the school, and as such, Katrina Robinson was free to take those profits.

She also had income streams from other sources, including private pay, and from other grants. ... Those were profits to a company, just like Tesla, just like any other company, and the owner of the company gets to spend those profits.

But what we have here is that the government unfairly suggests that somehow this was illegal and that somehow the grant would not allow this. And we expect the proof to be clear and that the grant put no limitations on how Ms. Robinson or her company was to spend its profits.

To be clear, you're saying that any personal purchases or funds that came out of the school were from the school's profits and not federal grant dollars.

Laurenzi: Absolutely. The federal dollars, of course, would help fund the general fund. But the proof is going to show that she hired professionals to manage these accounts. When she spent those dollars, she understood them to be 'personal' in the sense that they were profits, and ... she wasn't mistaken in that belief.

Let's be clear, THI was a very profitable company during the years in question and THI made those profits legally. At this point, the government wants you to believe that somehow that is now illegal. And we would simply tell you that is not the law and that is not the facts.

(Left) A former Healthcare Institute student made this candle as a token of gratitude for Democratic State Sen. Katrina Robinson after her licensed practical nurse cohort's graduation in 2018. Robinson keeps it on her desk in her office at the school. (Right) One of the walls at The Healthcare Institute includes goals for certification and licensure of students. Photos by Andrea Morales for MLK50.

Is the difference between (48) and 17 charges important, at least for the public's sake?

Laurenzi: I think that we would all agree at this table that 40 makes a better press headline than 17.

Do you think that was intentional?

Laurenzi: I can't answer that.

The only narrative the public has of the alleged scheme to defraud a man through the school is the one the feds released. For the public's sake, what's wrong with the feds' story here?

Robinson: It's not true.

Why is it not true?

Robinson: Because it didn't happen. We had a student who came to apply for school, just like any other student. The only thing that was different was that she was fortunate enough to have a boyfriend who was willing to pay for

her classes. She decided not to come; she got a refund, the feds twisted that into a money scheme.

So you're saying that Brooke's boyfriend paid the tuition, she withdrew from the courses, so the school issued a refund.

Laurenzi: We're not going to get into the facts of the case, again, because it is still pending. The only fact that we would tell you is that the boyfriend never complained to anybody about being defrauded.

How should the public think about the text messages that the feds included in their complaint?

Laurenzi: I would like to answer (that question), but because it's pending, it is our opinion that what they published distorted the facts.

Is the U.S. Attorney's office doing anything it wouldn't usually do?

Laurenzi: All I'm going to say is that Senator Robinson and I have reviewed the facts, we have reviewed the indictment and we both have the opinion that it is baseless.

Why would the U.S. Attorney's office put up charges knowing they're baseless?

Laurenzi: I can't answer that. I can't answer why. I just know that they did. They have used what is a very powerful statute, which is 18 U.S.C. section 666, which has a number of different crimes within that statute. One of them allows the federal government to police organizations that receive federal funds. As far as we can tell from across the country, a (business) owner has never been charged under the statute. If you ask whether there's anything unique (about this case), it's that you have a person who had all the authority in the world to use the profits as she felt was appropriate. And if you have the authority, how can you steal? ... These expenditures were open for anybody and everybody to see. Her books were reviewed on numerous occasions by

various accounting firms and (they) had no opinion that she had done anything wrong.

I'm still trying to understand your contention that the U.S. Attorney's office put up baseless charges. Is that a thing that happens?

Laurenzi: It's our opinion that they are baseless. ... But the fact of the matter is there is no dispute whatsoever that, one, the government received what they contracted for, number two, that Katrina Robinson was authorized to make these personalized expenditures when she made them. It will be up to a jury to decide whether or not it is baseless. I can tell you from our review of the case law it is a unique and never-used theory.

Why would they target you?

Robinson: I can't answer for them. I could speculate, but I can't answer. I'm still trying to figure out why.

There are other elected officials in the legislature they could have targeted. If you're speculating, why you?

Robinson: I'm a different kind of legislator. I have larger-scale business affairs than any other legislator.



Democratic State Sen. Katrina Robinson checks in on a class of students in a licensed practical nurse course on Thursday morning at The Healthcare Institute. When Robinson is not in session, she is usually at the school that she founded in 2015. Photo by Andrea Morales for MLK50

You haven't resigned. Why?

Robinson: I don't feel like I should. Why would I? I feel like that's exactly what this is about. I'm just as committed to doing the work that I was elected for as I was on August 2, 2018. Nothing has changed, I haven't let this interrupt my service...

There's so much that comes with this that I feel like I cannot give up. I can't just stop because I'm going through something. Even though it's tough for me and this is probably the lowest I've ever been in my life, that's just not my character. I can't quit. And if the people that I represent still support me and don't want me to resign, why should I?

What has the public response been?

Robinson: They've been extremely supportive. I've had constituents come to me and try to help with legal fees. I've had people try to start Facebook groups to support me. People emailed me and asked me for my court dates so they can be there. ... People that directly know me, or know of me, or who I represent, they have shown their support and numbers.

Now there, of course, are people on the other side (Republicans) who only see what the media gives them. I've had to deal with the threats and the harassment and the phone calls and emails and texts. I had to change my number but those are people who don't know me.

Could you expound a little bit more on that impact and that hurt for you personally, what toll has this taken?

Robinson: It's pretty much stripped my business and very important resources that make it an option for students. When we first started, our mission was to create an opportunity for people who don't normally have this type of opportunity. And we do that through allowing the education to be affordable, supporting (students) outside of just their education, and involving them in community events.

Students prepare for a licensed practical nursing course at The Healthcare Institute Thursday. The school helps people earn their certificates and licenses in nursing. It was founded by Democratic State Sen. Katrina Robinson in 2015. Photo by Andrea Morales for MLK50

The day that the FBI raided my school and raided my home, much of that support was pulled from us. It stripped us to our very bones where we can only accept students who can pay tuition, and that defeats the purpose of our mission. That has led me to try to figure out ways to even be able to cover payroll some weeks. I've sunk my savings into my school, just so students won't have to leave.

I have students who are still there who haven't paid their tuition, and normally I'm able to work with them, because I know what they're trying to get to and how much work they put in. They're great students, who will be great nurses. I don't want to put them out of school but sometimes it gets to the point where I don't know if I have a choice. We're still there but I have to make up the gap.

Say more about the threats and harassment you received.

Robinson: It started the day that the news released it, it went viral. ... (A Donald Trump campaign account posted) about it, so that brought on all these (attackers), who would send me messages saying they were going to hang me or put me in front of a firing squad, calling me dumb nigger bitch, telling me I deserve whatever Big Bertha is going to give me in jail.

What kind of toll does that take on your psyche?

Robinson: It's a huge toll. I've been dealing with functional depression over the past year just trying to stay steadfast and get a victory in our trial. ... I can remember when I first moved from my home because my home was plastered all over the news and websites and stuff, people were driving by and I moved.

I can remember I was out of town. My aunt and my uncle came to move me out, and they put all the stuff in the living room. And when I got home, I just couldn't help myself; I just burst into tears, because it felt like I was being evicted from my life. It's been very taxing. Even with my kids — of course, they're adults now — but they're at a transitional time where I need to be a source to them and be strong for them and be able to give them good guidance and have a clear head to do that. And I feel like I'm not in a state to do that consistently the way that I should be able to because of everything that I have to get behind.

Have you gotten any support from your colleagues in the legislature?

Robinson: I've gotten a couple of Facebook posts, I think, that's about it.



Democratic State Sen. Katrina Robinson hugs her son Jaden following her interview with MLK50 in downtown Memphis. Photo by Andrea Morales for MLK50

Is that the support you'd like to see?

Robinson: No, but to be fair, politics is a complicated profession. I'll put it to you that way. And though as elected officials we have a heart for people, (for) some elected officials the paramount issue is maintaining their position. I can't harbor any bad feelings or be resentful for someone trying to protect themselves by staying away from negative press.

Why should the reader take your word over the U.S. government?

Robinson: I can't tell you why they should take my word. I don't believe in words, I believe in actions. ... I don't think that my life story speaks to a person who feels like they should be handed anything or they should have a right to anything that they didn't earn. I don't think that my current work says that I would take from people that I constantly give to.

What is the truth that the reader needs to take away about this case?

Robinson: My truth is that I'm being unfairly prosecuted, that I haven't committed a crime, that I've done nothing but focus on building my business and my community through my business.

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